

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

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| <p>JOSHUA HENDERSON, <i>individually and on behalf of all others similarly situated</i>,</p> <p style="text-align:center">Plaintiff,</p> <p>v.</p> <p>AHOLD DELHAIZE USA SERVICES, LLC, FOOD LION, LLC, and GIANT FOOD, LLC,</p> <p style="text-align:center">Defendants.</p> | <p style="text-align:center">Case No. 1:25-cv-00531</p> |
| <p>JON ANKUS, <i>individually and on behalf of all others similarly situated</i>,</p> <p style="text-align:center">Plaintiff,</p> <p>v.</p> <p>AHOLD DELHAIZE USA SERVICES, LLC,</p> <p style="text-align:center">Defendant.</p> | <p style="text-align:center">Case No. 1:25-cv-00533</p> |

**PLAINTIFFS’ MOTION TO CONSOLIDATE RELATED ACTIONS, APPOINT
INTERIM LEAD COUNSEL, AND SET BRIEFING SCHEDULE**

Plaintiffs in the above-captioned actions seek entry of an order, pursuant to Federal Rules of Civil Procedure 42(a) consolidating *Henderson v. Ahold Delhaize USA Services, LLC, Food Lion, LLC and Giant Food, LLC*, 1:25-cv-00531 (filed June 27, 2025), and *Ankus v. Ahold Delhaize USA Services, LLC*, 1:25-cv-00533 (filed June 27, 2025) (collectively the “Related Actions”), appointing Plaintiffs’ leadership structure consisting of Mariya Weekes of Milberg Coleman Bryson Phillips Grossman, PLLC, Jeff Ostrow of Kopelowitz Ostrow, P.A., and David Wilkerson

of Wilkerson Justus, PLLC as interim co-lead counsel, and Jean S. Martin of Morgan & Morgan, P.A. as interim local counsel, staying the Related Actions, and setting a schedule of 30 days for Plaintiffs to file a single consolidated amended complaint (“CAC”), 60 days for Defendant to respond thereto, and in the event Defendant files a dispositive motion in response to the CAC, giving Plaintiffs 30 days to file an opposition, and Defendant 21 days to file a reply.

For the reasons set forth in the accompanying Memorandum of Law in Support of this motion contemporaneously filed herewith, Plaintiffs respectfully submit that consolidation is warranted under Rule 42(a) because the Related Actions involve common questions of law and fact and arise out of the same alleged data breach. Likewise, appointment of Proposed Interim Co-Lead Class Counsel and Interim Local Counsel is appropriate under Rule 23(g) to ensure the efficient prosecution of this matter and to protect the interests of the proposed class. Accordingly, Plaintiffs’ motion should be granted.

Dated: June 30, 2025

Respectfully submitted,

/s/ David M. Wilkerson

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Attorneys for Plaintiffs and the Proposed Class

**pro hac vice forthcoming*